

SENATE BILL NO. 41

INTRODUCED BY D. LEWIS

BY REQUEST OF THE EDUCATION AND LOCAL GOVERNMENT INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING LEGISLATIVE APPROVAL BY JOINT RESOLUTION OF THE ORGANIZATION OF A COMMUNITY COLLEGE DISTRICT FOLLOWING APPROVAL BY LOCAL VOTERS AND A POSITIVE OR NEGATIVE RECOMMENDATION BY THE BOARD OF REGENTS; AMENDING SECTION 20-15-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-15-209, MCA, is amended to read:

"20-15-209. Determination of approval or disapproval of proposition -- subsequent procedures if approved. (1) To carry, the proposal to organize the community college district must receive a majority of the total number of votes cast ~~thereon, and the~~ The coordinator of community college districts, ~~from the results so certified and attested,~~ shall determine whether the proposal has received the majority of the votes cast ~~thereon~~ for each county within the proposed district and shall certify the results to the regents. ~~Approval~~ Final approval for the organization of a new community college district ~~shall~~ may be granted ~~at the discretion of~~ by passage of a joint resolution by the legislature acting upon ~~the~~ a positive or a negative recommendation of the regents. ~~Should~~ If the certificate of the coordinator of community college districts ~~show~~ shows that the proposition to organize ~~such~~ the community college district has received a majority of the votes cast ~~thereon~~ on the proposition in each county within the proposed district and the legislature then approves the organization of the community college district, the regents ~~may make~~ shall then issue an order declaring the community college district organized and ~~cause~~ shall send a copy ~~thereof of the order~~ to be recorded in the office of the county clerk and recorder in each county in which a portion of ~~such~~ the new district is located. If the proposition carries, the regents ~~also~~ shall also determine which candidates have been elected trustees. ~~Should~~ If the proposition to organize the community college district ~~fail fails, to receive a majority of the votes cast thereon, no tabulation shall~~ a counting will not be made to determine the candidates who received the greatest number of votes ~~elected trustees.~~

(2) Within 30 days of the date of the ~~organization~~ organizational order, the regents shall set a date and

1 call an ~~organization~~ organizational meeting for the board of trustees of the community college district and shall
2 notify the ~~duly~~ elected trustees of their membership and of the ~~organization~~ organizational meeting. ~~Such~~ The
3 notification ~~shall~~ must designate a temporary ~~chairman~~ presiding officer and secretary for the purposes of
4 organization."

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6 **NEW SECTION. Section 2. Effective date -- applicability.** [This act] is effective on passage and
7 approval and applies to the approval of a community college district on or after [the effective date of this act].

8 - END -